IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1413 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

STATE OF GUJARAT

Versus

KARSHANBHAI GANDUBHAI PATEL

Appearance:

MR BY MANKAD for Petitioners

MR PR NANAVATI for Respondent No. 1

RULE SERVED for Respondent No. 4

CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 02/03/2000

ORAL JUDGEMENT

In this petition filed under Article 226 of the Constitution, the State of Gujarat has challenged the order dated 18.3.1995 passed by the Urban Land Tribunal

at Ahmedabad in Appeal No.Rajkot-50/94. The learned Counsel for the respondents no. 1 to 3 produces a copy of communication dated 17.7.1999 received by them from the Competent Authority and Additional Collector, Urban Land Ceiling, Rajkot stating with reference to the respondents application dated 22.6.1999 that the land in question had not been vested in the Government and that possession had not been taken by the Government under the provisions of Urban Land (Ceiling & Regulations) Act,1976. Mr.B.Y.Mankad, learned Assistant Government Pleader for the petitioner on instructions and after verifying the record which is with him states that no further proceedings had taken place after the order dated 11.7.1994 under Section 8(4) of the Act, and the land has not been treated as surplus and the possession had not been taken. Hence, in view of the provisions of the Urban Land (Ceiling & Regulations) Repeal Act,1999 the present petition does not survive. Hence the petition is accordingly disposed of as having abated. Ad-interim relief granted earlier stands vacated. Rule discharged. No order as to costs.

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m.m.bhatt